

June 11, 2003

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. **V-2445**
Proposed Ordinance No. **2003-0183**

LAKE RETREAT CAMP & CONFERENCE CENTER
Road Vacation Petition

Location: Portion of George G. Bayne Road East of Ravensdale

Applicant: **Lake Retreat Camp & Conference Center**
27850 Retreat-Kanaskat Road Southeast
Ravensdale, WA 98051
Telephone: (425) 432-4293

And

V.G. Vaden
29233 Southeast 278th
Ravensdale, WA 98051-0275

King County: Department of Transportation,
Road Services Division, *represented by*
Jodi Simmons
201 S. Jackson St.
Seattle, WA 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:
Department's Final:
Examiner:

Approve road vacation
Approve road vacation
Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2445 was received by the Examiner on May 5, 2003.

PUBLIC HEARING:

After reviewing the Department of Transportation's Report and examining available information on file with the petition, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item no. V-2445 was opened by the Examiner at 1:02 p.m. on June 2, 2003, in the Union Bank of California fifth-floor conference room, 900 4th Avenue, Seattle, Washington, and closed at 1:13 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

Road name and location:	Portion of George G. Bayne Road east of Ravensdale Thomas bros. page 718, J7
Right of way classification:	"C"
Area:	15,203 square feet
Compensation:	\$2,399.38 for Lake Retreat Camp & Conference Center \$2,077.23 for V. G. Vaden

2. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the June 4, 2003, public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0183. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.
3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated are Attachments 1 and 2 to this Report and Recommendation.
4. Vacation of the subject right-of-way would have no adverse effect on the provision of fire and emergency services to the subject property or surrounding area.

CONCLUSIONS:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation.

2. The Notice of Hearing on the report of the Department of Transportation was given as required by law, and a hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.
3. The compensation required by law to be paid as a condition precedent to the vacation of this road has been deposited with King County, and the easements, if any, necessary for the construction, repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

RECOMMENDATION:

APPROVE proposed Ordinance No. 2003-0183 to vacate the subject road.

RECOMMENDED this 11th day of June, 2003.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 11th day of June, 2003, to the following parties and interested persons:

Covington Water District
Don Dauphiny
Lake Retreat Camp & Conference Cntr.
Mary Lamping
Kim Quinones
Jodi Simmons
V.G. Vaden
Greg Borba
Curt Crawford

Neil DeGoojer
Nancy Gordon
Dennis Gorley
David Gualtieri
Kristen Langley
Roderick E. Matsuno
Paulette Norman
Lydia Reynolds-Jones
Charlie Sundberg

NOTICE OF RIGHT TO APPEAL
AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) *on or before* **June 25, 2003**. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council *on or before* **July 2, 2003**.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office

of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council on a recommendation of the Examiner shall be final and conclusive unless within twenty-one (21) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE JUNE 4, 2003 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. V-2445

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Jodi Simmons, representing the Department; and Valerie Cunningham, representing the Petitioner, Lake Retreat Camp and Conference Center.

The following exhibits were offered and entered into the record:

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|----------------|---|
| Exhibit No. 1 | DOT Report to the Hearing Examiner dated June 4, 2003 with 15 attachments |
| Exhibit No. 2 | 01/29/02 Petition transmittal letter to Dept. of Transportation from Council Clerk |
| Exhibit No. 3 | Signatory authorization dated 1/18/02 and Petition for Vacation of a County Road including legal descriptions of Petitioner's properties |
| Exhibit No. 4 | 04/10/2002 letter to Petitioner explaining the road vacation process |
| Exhibit No. 5 | Copy of Filing Fee - Check #1292 from Lake Retreat Baptist Camp |
| Exhibit No. 6 | Vicinity Map |
| Exhibit No. 7 | Map depicting vacation area |
| Exhibit No. 8 | Quit Claim Deed, Volume 1206, Page 295 conveying right-of-way |
| Exhibit No. 9 | 12/13/02 transmittal letter to Council providing recommendation of KCDOT and County Road Engineer |
| Exhibit No. 10 | Letter dated 12/11/02 to Lake Retreat Camp & Conference Center and V. G. Vaden identifying amount of compensation with attached Road Vacation Compensation Worksheet V-2445 |
| Exhibit No. 11 | Ordinance transmittal letter 04/14/03 from King County Executive to Councilmember Cynthia Sullivan |
| Exhibit No. 12 | Proposed Ordinance 2003-0183 |
| Exhibit No. 13 | Notice of hearing from Clerk of the Council |
| Exhibit No. 14 | Affidavit of May 2, 2003, posting for hearing |
| Exhibit No. 15 | Affidavit of Publication for date of hearing (<i>to be submitted post-hearing upon receipt</i>) |

SLS:ms

V-2445 RPT

Attachments